

**U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO (COLUMBUS)**

JUSTIN MORRIS  
C/O WARREN LAW FIRM, LLC  
174 W. MAIN ST.  
CHILLICOTHE, OHIO 45601

Plaintiff,

vs.

MICHAEL SHAW  
514 WALNUT CREEK RD.  
CHILLICOTHE, OHIO 45601

And

OHIO MUTUAL INSURANCE GROUP  
C/O DAVID G. HENDRIX  
1725 HOPLEY AVE.  
BUCYRUS, OHIO 44820

And

CENTERS FOR MEDICARE AND  
MEDICAID SERVICES  
7500 SECURITY BLVD.  
BALTIMORE, MD. 21244

Defendants.

CASE NO.:

JUDGE:

**COMPLAINT FOR DAMAGES  
AND FOR DECLARATION  
OF RIGHTS**

Comes now Plaintiff, Justin Morris, and for Complaint states the following:

1. On or about March 2, 2018, on US 35 in Ross County, Ohio Defendant, Michael Shaw drove his vehicle into the rear end of a vehicle in which Plaintiff, Justin Morris was driving.

2. Defendant owed a duty of care to Plaintiff and to the general public to operate his vehicle so as not to damage others.
3. Defendant violated that duty of care by negligently driving his 2009 Nissan Altima into Plaintiff's vehicle
4. As a direct and proximate result of Defendant negligence and Defendant negligence per se, Plaintiff suffered damages.
5. Plaintiff damages include without limitations, medical bills, lost wages, reduced enjoyment of life, pain and suffering, inability to work.
6. Plaintiff's damages exceed \$25,000.00.

#### **OHIO MUTUAL INSURANCE GROUP MED PAY LIEN**

7. Ohio Mutual Insurance Group has made payments for medical bills for the benefit of Plaintiff. Pursuant to contract, Ohio Mutual Insurance Group may have an interest in this matter.

#### **MEDICARE LIEN**

8. Medicare has made payments for medical bills for the benefit of Plaintiff. Pursuant to statute, Medicare has an interest in this matter.

#### **JURISDICTION**

9. Medicare's claim arises under the Medicare Act, a federal claim. Medicare is a necessary party because it has an interest in the proceeds of this action pursuant to 42 C.F.R.

§411.24. This Court has jurisdiction over the entire case because an agency of the United States is a party pursuant to 23 U.S.C. §1442.

Wherefore, for all the foregoing, Plaintiff prays for judgment against Defendant in an amount sufficient to compensate him for his injuries, harms and losses, and for a determination of the rights and responsibilities of Ohio Mutual Insurance Group and Medicare.

Respectfully Submitted,

/s/Michael Wm Warren  
Michael Wm Warren (0074557)  
Warren Law Firm, LLC  
174 W., Main Street  
Chillicothe, Ohio 45601  
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Defendants.

**PREACIPE**

TO THE CLERK:

Kindly serve the complaint by U.S. Certified Mail to:

MICHAEL SHAW  
514 WALNUT CREEK RD.  
CHILLICOTHE, OHIO 45601

And

OHIO MUTUAL INSURANCE GROUP  
C/O DAVID G. HENDRIX  
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And

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/s/Michael Wm Warren  
Michael Wm Warren (0074557)  
Warren Law Firm, LLC  
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